8380254/2024/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department - Formation of road in Lingamparthy Reserve Forest in Compt. No.587 from Konda Timmapuram to China Vanthada in Yeleswaram Mandal – Illegal transportation of Laterite – Violation of Forest Conservation Act, 1980 & A.P. Forest Act, 1967 – Common disciplinary proceedings initiated – Inquiry under Rule-20 of A.P. Civil Services (CC&A) Rules, 1991 against **Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram** – Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No.2 **Dated:03.01.2024**

Read the following:

1)From the Director General, Vigilance & Enforcement Department, Vigilance Report No.55 (C.No.1678/V&E/NR-1/2016), dated 21.12.2018.
2)Memo.No.119/Sec.IV/A1/2019, EFS&T (Sec.IV) Department, dated 29.12.2023.

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ORDER:

It is proposed to hold an inquiry against Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram in accordance with the procedure laid down in Rule - 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that under Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964, no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri N. Challalu, the then Surveyor, O/o the Assistant

P.T.O.

Director of Mines & Geology, Rajamahendravaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram through the Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District.

Copy to:
The Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District. (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)
SF/SC (Computer No.1455666).

//FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI N.CHALLALU, THE THEN SURVEYOR, O/o THE ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM

That, Sri N. Challalu, while working as Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, the following irregularities have taken place in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2,10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

Charge-I:

Failed to mention in his survey report that the way for approaching Mining area and for transportation of mineral fall in Reserve Forest.

Charge-II:

Misinterpreted the G.O.147, dated 23.11.2013 regarding Environmental Clearance and Consent for Establishment and recommended for execution of lease deed in the Note File without obtaining the fresh EC & CFE for 10.417 hectares.

Charge-III:

Failed to submit the inspection report as per new check list orders as per G.O.Ms.No.2, dated 02.01.2013.

Charge-IV:

Failed to observe the note orders of the ADM&G that the execution of the lease deed is subject to outcome of the revision petition and recommended for execution of lease deed and for registration of the lease deed on the same day.

Thus, Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines & Geology, Rajamahendravaram by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI N. CHALLALU, THE THEN SURVEYOR, O/o THE ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM

Sri N. Challalu, the then Surveyor, O/o the Assistant Director of Mines and Geology, Rajamahendravaram and the following irregularities have been taken place during his tenure in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District In Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

i) Sri N. Challalu, while working as Surveyor in O/o the Assistant Director of Mines & Geology, Rajamahendravaram has reported in part III of his inspection report that the mining area is from Vanthada from Prathipadu through a metal road – Lampakalova – Rowthulapudi – Vanthada regarding the existing road being used by the mining lease holders in Vanthada Village. But he did not mention that the existing road also runs through Girijanpuram Reserve land for which permission from the Forest Department Officials shall have to be obtained for transportation of the mining produce.

ii) In G.O.No.147, dated.23.11.2013, the EC from SEIAA and CFE from the APPCB already obtained for 10.96 Hectares was discussed in para No.2. Subsequently, while granting the lease for 10.417 Hectares, it was clearly instructed to submit the revised mining plan for 10.417 Hectares, from SEIAA and CFE from the APPCB in Para No.9 a & b. But the Surveyor recommended for extent of lease deed without obtaining fresh E.C. and CFE.

iii) Regarding issuance of NOC in terms of G.O.Ms.No.2, Revenue (Assignment – 1) Department, dated.02.01.2013, the Tahsildar already i.e., prior to the issue of G.O.Ms.No.2 has given No objection Certificate at the time of submission earlier proposals by the Asst. Director of Mines and Geology, Rajamahendravaram over the mining lease applied area of Smt. Kude Lakshmi and hence again the NOC was not obtained at the time of submission of revised proposals. Despite the proposals were returned by the DM&G as directed to submit revised proposals as per G.O.Ms.No.2. Hence, the surveyor failed to submit revised proposals along with new checklist as per G.O.Ms.No.2.

iv) The Assistant Director of Mines and Geology, Rajahmundry has issued note orders in note file Page No.10 that the "**lease deed executed subject to outcome of revision petition in Para No.47 of page No. 10**. But Sri N. Challalu failed to observe and recommended for execution of the lease deed. In the note file, instead he would have put up note for addressing the competent authority i.e., Government seeking clarification for execution of lease deed without modified EC and CFE for the reduced extent. Taking the decision at Assistant Director of Mines and Geology, level by misinterpreting instructions of the G.O. for execution of the lease deed is not tenable.

Thus, the Government Servant by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule, 3(1)(2) of APCS (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI N. CHALLALU, THE THEN SURVEYOR, O/o THE ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Vigilance Report No.55 (C.No.1678/V&E/NRI/2016), dated 21.12.2018.
2) G.O.Ms.No.147, Industries & Commerce Department, dated 23.11.2013.
3) G.O.Ms.No.2, Revenue (Assignments) Department, dated 02.01.2013.
4) Page No.10 at Para No.48 of Note file of lease file of Smt. K. Lakshmi.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI N. CHALLALU, THE THEN SURVEYOR, O/o THE ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED

1) Sri Lingaraj Banakar, Complainant, PragathiSamaj, Dalakasoti Village.
2) Officials of the Vigilance and Enforcement Department.
3) Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines and Geology, Rajahmundry.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER